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EXAMINER SCHNEIDER, LYNNSY M				
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3733				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

doctet@nutter.com

Office Action Summary

Application No.

10/811,636

Applicant(s)

MCDEVITT ET AL.

Examiner

LYNNSY SCHNEIDER

Art Unit

3733

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26, 29-40, 42-48, 50-52 and 54-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26, 29-40, 42-48, 50-52 and 54-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 1/26/2010
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 56-59 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The amendment to independent claim 29 adds an insertion instrument to the claim. Claims 56-59 introduce a second insertion instrument "cannulated driver assembly" including a second shaft. Such a system is not disclosed in the specification as originally filed.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 17-20, 22, 24, 50-52, 55, and 57 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims refer to a "shaft", but it is unclear whether each claim is referring to the "shaft" of the expander pin or the "shaft" of the installation tool. For examination purposes, claims 17-19 and 50-52 will be interpreted as being drawn to the shaft of the expansion pin, and claims 20, 22, 24, 55, and 57 will be interpreted as being drawn to the shaft of the installation tool.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-5, 7, 11-17, 19-26, 29-33, 35, 39, 40, 42-48, 50, 52, 54-59, 60- 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johanson et al. (Pat. No. US 7,074,203 B1) in view of Sander et al. (Pat. No. US 5,522,817).

Regarding claims 1-5, 7, 11-17, 19-26, 60, 61, 63, Johanson et al. discloses an apparatus for attaching tissue to bone comprising: an expandable body 4 (figure 1) defining a bore 19 (figure 1) and configured to expand into bone (col. 4, lines 54-60); and an expander pin 6 (figure 1) comprising a shaft 12 (figure 1) sized to be received in the bore 19 of said expandable body 4 and to expand said expandable body 4 laterally when said expander pin 6 is driven into said expandable body (col. 4, lines 35-53); wherein, when said expander pin 6 is driven into said expandable body 4, said expandable body 4 is configured to attach to the bone (col. 4, lines 35-53). The expandable body 4 is made of a bioabsorbable material (col. 3, lines 66-67). The expander pin 6 includes a fastener stabilization apparatus "ribs, threads, or protrusions" 8 (col. 2, lines 28-33) for stabilizing said expander pin 6 relative to said expandable body 4. The apparatus further comprises a tissue attachment member 7 (figure 2) having at least one laterally-extending projection for tacking tissue, whereby when said expander pin 6 is driven into said expandable body 4, said tissue attachment member 7

is configured to secure the tissue to said apparatus (figure 2). The laterally extending projection has an arc-like outer edge (col. 4, lines 61-65). The apparatus further comprises a tissue attachment member having a bore 19 formed in said expander pin 6, whereby when said expander pin 6 is driven into said expandable body 4, said tissue attachment member is configured to secure the tissue to said apparatus (figure 2). The tissue attachment member 19 is configured so that a suture may slide relative to said expander pin 6 when said expander pin 6 is received in said expandable body 4 (figure 2). The expander pin 6 has indicia "ribs, threads, projections" for indicating depth (the movement of the ribs, threads, or projections within the expandable sleeve 4 can produce a visual, tactile, or auditory indicator as to the position of the expander in within the sleeve). The expandable body 4 includes a bone securement apparatus "ribs, threads, or protrusions" 17 (figures 1-2; col. 2, lines 28-33) for securing said expandable body 4 relative to bone. The apparatus further comprises an installation tool 26 (figure 3), and wherein said installation tool 26 comprises a shaft "K-wire" 36 (figure 6) sized to be slidably received in said bore 19 of said expandable body and in a bore of said expander pin (figure 6). The expander pin shaft 12 is releasably attachable to said expandable body (figure 1). The expander pin shaft 12 has a tapered distal end 14 (figures 1-2). The shaft 36 extends distally beyond said expandable body 4 when said shaft is slidably received in said bore 19 of said expandable body 4 (figure 6). The apparatus further comprises a pusher member 29 (figures 3-5) configured to drive said expander pin 6 into said expandable body 4 (figure 8; col. 6, lines 13-19). The pusher member 29 slides along said shaft 36 when driving said expander pin 6 into said

expandable body 4 (since K-wire 36 is not moved, and pusher member is pushed downward, it slides relative to the K-wire 36). The apparatus comprises a cannulated driver assembly 29 (figures 3-5) adapted to drive said expander pin 6 into said expandable body 4 (figures 6-9). The cannulated driver assembly 29 slides along a shaft 27 connected to said expandable body 4 (col. 6, lines 13-23). The assembly further comprises a slap hammer (col. 6, lines 10-12). The cannulated driver assembly 29 includes a trigger 32 (figures 3, 5) for inducing the driving of said expander pin 6. The laterally extending projection 7 has a substantially planar configuration. The laterally extending projection 7 has a substantially convex configuration (since it can be circular or elliptical). The tissue attachment member further comprises at least one longitudinally extending projection (figures 1 and 2) projecting distally out of said at least one laterally extending projection (figures 1 and 2).

Johanson et al. does not disclose wherein said expandable body comprises a distal tip member and a proximal main member, said distal tip member being of harder material than said proximal main member, said distal tip member being tapered and having a threaded recess in a proximal surface thereof and said proximal main member having a distally extending threaded projection threadably interengageable with the distal tip member recess.

Sander et al. teaches that it is beneficial to provide a bioabsorbable fastener 203 (figure 2) with a hard, pointed "tapered" penetrating tip 201 (figure 2), the tip "distal tip member" being made of a harder material than the bioabsorbable fastener "proximal main member" (col. 2, line 65 – col. 3, line 30) and having a threaded recess 202 (figure

2) in a proximal surface thereof and said proximal main member 203 having a distally extending threaded projection 204 (figure 2) threadedly interengageable with the distal tip member 201 (col. 4, lines 47-53), for the purpose of enabling implants to be drilled or driven directly into bone or other hard tissue (col. 2, lines 58-64).

It would have been obvious to one skilled in the art the time the invention was made to modify the device disclosed by Johanson et al. to include a distal tip member being made of a harder material than the proximal main member, the distal tip member being tapered and having a threaded recess in a proximal surface thereof and the proximal main member having a distally extending threaded projection threadedly interengageable with the distal tip member recess, as taught by Sander et al, for the purpose of enabling the expandable body to be drilled or driven directly into bone or other hard tissue without destroying the bioabsorbable proximal main member (col. 2, lines 58-64).

Regarding claims 29-33, 35, 39, 40, 42-48, 50, 52, and 54-59, Johanson et al. discloses an apparatus for attaching tissue to bone comprising: an expandable body 4 configured to expand into bone, said expandable body 4 defining a bore 19; an expander pin 6 comprising a shaft 12 sized to be received in the bore 19 of said expandable body 4 (figure 2) and to expand said expandable body 4 laterally when said expander pin 6 is driven into said expandable body 4; and an installation tool 26 comprising a shaft 36 slidably received in said bore 19 of said expandable body and in a bore of said expander pin 6 (figure 6), the shaft 36 having a distal end and a proximal end, said distal end extending distally beyond a distal end of the expandable body 4

(figure 6); whereby when said expander pin 6 is driven distally into said expandable body 4, said expandable body 4 is configured to attach to the bone (col. 4, lines 35-53). The expander pin includes a fastener stabilization apparatus for stabilizing said expander pin relative to said expandable body. The expander pin 6 includes a fastener stabilization apparatus "ribs, threads, or protrusions" 8 (col. 2, lines 28-33) for stabilizing said expander pin 6 relative to said expandable body 4. The apparatus further comprises a tissue attachment member 7 (figure 2) having at least one laterally-extending projection 7 for tacking tissue, whereby when said expander pin 6 is driven into said expandable body 4, said tissue attachment member 7 is configured to secure the tissue to said apparatus (figure 2). The laterally extending projection has an arc-like outer edge (col. 4, lines 61-65). The apparatus further comprises a tissue attachment member having a bore 19 formed in said expander pin 6, whereby when said expander pin 6 is driven into said expandable body 4, said tissue attachment member is configured to receive a suture and secure the tissue to said apparatus (figure 2). The tissue attachment member 19 is configured so that a suture may slide relative to said expander pin 6 when said expander pin 6 is received in said expandable body 4 (figure 2). The expander pin 6 has indicia "ribs, threads, projections" for indicating depth (the movement of the ribs, threads, or projections within the expandable sleeve 4 can produce a visual, tactile, or auditory indicator as to the position of the expander in within the sleeve). The expandable body 4 includes a bone securement apparatus "ribs, threads, or protrusions" 17 (figures 1-2; col. 2, lines 28-33) for securing said expandable body 4 relative to bone. The expander pin shaft 12 is releasably attachable to said

expandable body (figure 1). The expander pin shaft 12 has a tapered distal end 14 (figures 1-2). The apparatus further comprises a pusher member 29 (figures 3-5) configured to drive said expander pin 6 into said expandable body 4 (figure 8; col. 6, lines 13-19). The pusher member 29 slides along said shaft 36 when driving said expander pin 6 into said expandable body 4 (since K-wire 36 is not moved, and pusher member is pushed downward, it slides relative to the K-wire 36). The apparatus comprises a cannulated driver assembly 29 (figures 3-5) adapted to drive said expander pin 6 into said expandable body 4 (figures 6-9). The cannulated driver assembly 29 slides along a shaft 27 connected to said expandable body 4 (col. 6, lines 13-23). The assembly further comprises a slap hammer (col. 6, lines 10-12). The cannulated driver assembly 29 includes a trigger 32 (figures 3, 5) for inducing the driving of said expander pin 6. The expandable body 4 is made of a bioresorbable material (col. 3, lines 66-67) and is provided with a tapered distal end (figures 1-2).

Johanson et al. discloses the claimed invention except for the expandable body including a tapered distal tip member and proximal main member that are separable from one another, wherein said distal tip member and said proximal main member are threadedly or frictionally interengageable with one another, wherein said distal tip member is constructed from a first material and said proximal main member is constructed from a second material, and wherein said first material is harder than said second material.

Sander et al. teaches that it is beneficial to provide a bioabsorbable fastener 203 (figure 2) with a hard, pointed "tapered" penetrating tip 201 (figure 2), the tip "distal tip

member" being made of a harder material than the bioabsorbable fastener "proximal main member" (col. 2, line 65 – col. 3, line 30) and having a threaded recess 202 (figure 2) in a proximal surface thereof and said proximal main member 203 having a distally extending threaded projection 204 (figure 2) threadedly interengageable with the distal tip member 201 (col. 4, lines 47-53), for the purpose of enabling implants to be drilled or driven directly into bone or other hard tissue (col. 2, lines 58-64).

It would have been obvious to one skilled in the art the time the invention was made to modify the device disclosed by Johanson et al. to include a separable distal tip member being made of a harder material than the proximal main member, the distal tip member being tapered and having a threaded recess in a proximal surface thereof and the proximal main member having a distally extending threaded projection threadedly interengageable with the distal tip member recess, as taught by Sander et al, for the purpose of enabling the expandable body to be drilled or driven directly into bone or other hard tissue without destroying the bioabsorbable proximal main member (col. 2, lines 58-64).

Regarding claim 62, Johanson et al. as modified by Sander discloses the claimed invention except for wherein the least one laterally-extending projection has a substantially concave configuration. However, It would have been an obvious matter of design choice to one skilled in the art at the time the invention was made to construct the construct the laterally extending projection with a substantially concave configuration, since applicant has not disclosed that such solve any stated problem or is anything more than one of numerous shapes or configurations a person ordinary skill in

the art would find obvious for the purpose of attaching tissue to bone. In re Dailey and Eilers, 149 USPQ 47 (1966).

7. Claims 6 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johanson et al. in view of Sander et al. and further in view of Winters (Pat. No. US 6,123,711).

Regarding claims 6 and 34, Johanson et al. as modified by Sander et al. discloses the claimed invention except for the tissue attachment member having at least one laterally extending projection having a linear outer edge.

Winters teaches that a tissue attachment member can have a plurality of shapes, one of which includes a linear outer edge (figures 2A-2C).

It would have been obvious to one skilled in the art at the time the invention was made to provide the tissue attachment member with at least one laterally extending projection having a linear outer edge, as taught by Winters, since applicant has not disclosed that such solve any stated problem or is anything more than one of numerous shapes or configurations a person ordinary skill in the art would find obvious for the purpose of providing a tissue attaching element. In re Dailey and Eilers, 149 USPQ 47 (1966).

8. Claims 8-10, and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johanson et al. in view of Sander et al. and further in view of Nicholson et al. (Pat. No. US 5,725,529).

Regarding claims 8, 9, 36, and 37, Johanson et al. as modified by Sander et al. discloses the claimed invention except for a suture being received in the bore formed in the expander pin.

Nicholson et al. teaches providing a suture in a bore of an insertion element (col. 2, lines 4-6) for the purpose of providing a means for attaching soft tissue to the fixation element (col. 1, lines 11-12).

It would have been obvious to one skilled in the art at the time the invention was made to modify the invention disclosed by Johnason et al. and modified by Sander et al. to include a suture in the bore in the expander pin, as taught by Nicholson et al., for the purpose of attaching soft tissue to bone (col. 1, lines 11-12).

Regarding claims 10 and 37, Johanson et al. as modified by Sander et al. and Nicholson et al. discloses the claimed invention except for a second bore formed in said expander pin and second suture extending through said second expander pin bore. However, it would have been obvious to one skilled in the art at the time the invention was made to construct the assembly of Johnanson et al. as modified by Sander et al. and Nicholson et al. with a second bore and a second suture, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

9. Claims 18 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johanson et al. in view of Sander et al. and further in view of Hanosh (Pat. No. US 5,489,210).

Regarding claims 18 and 51, Johanson et al. as modified by Sander disclose the claimed invention except for the shaft 12 and the expandable body 4 being threadingly interengageable with one another.

Hanosh teaches a shaft 62 and expandable body 32 (figure 2) that are threadingly interengageable with one another (col. 4, lines 39-45; figure 2).

It would have been obvious to one skilled in the art at the time the invention was made to modify the expandable body disclosed by Johanson et al. and modified by Sander et al. to include internal threads to mate with the threads 8 provided on the expander pin, as taught by Hanosh, for the purpose of providing a controlled mechanism of advancement for the expander pin, as well as stabilizing the expandable body and expansion pin relative to one another.

Double Patenting

10. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

11. Claims 1-63 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-78 of U.S. Patent No. 6,733,506 in view of Sander et al. (Pat. No. US 5,522,817). The patent discloses the same invention as the application, except for the distal portion including a threaded recess in the proximal region and the proximal main member including a distally extending threaded protrusion that threadedly engages the distal portion. Sander et al. teaches such an arrangement in figure 2, for the purpose of providing a bone penetrating tip to a resorbable fixation member (col. 3, lines 15-20). It would have been obvious to one skilled in the art at the time the invention was made to claim that the distal portion includes a threaded recess in the proximal end thereof, and the proximal main portion includes a distally extending threaded projection that is threadingly engaged with the threaded recess of the distal tip, for the purpose of providing a reliable bone penetrating tip to a resorbable fixation member.

12. Claims 1-63 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-43 of U.S. Patent No. 6,319,252 in view of Sander et al. (Pat. No. US 5,522,817). The patent discloses the same invention as the application, except for the distal portion including a threaded recess in the proximal region and the proximal main member including a distally extending threaded protrusion that threadedly engages the distal portion. Sander et al. teaches such an arrangement in figure 2, for the purpose of providing a bone penetrating tip to a resorbable fixation member (col. 3, lines 15-20). It would have been obvious to one skilled in the art at the

time the invention was made to claim that the distal portion includes a threaded recess in the proximal end thereof, and the proximal main portion includes a distally extending threaded projection that is threadingly engaged with the threaded recess of the distal tip, for the purpose of providing a reliable bone penetrating tip to a resorbable fixation member.

Response to Arguments

13. Applicant's arguments with respect to claims 1-26, 29-40, 42-48, 50-52, and 54-63 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LYNN SY SCHNEIDER whose telephone number is (571)270-7856. The examiner can normally be reached on Monday - Friday, 9:30am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eduardo Robert can be reached on (571)272-4719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/L. S./
Examiner, Art Unit 3733
/Eduardo C. Robert/
Supervisory Patent Examiner, Art Unit 3733